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PATENT
Attorney Docket No.: 018062-003140US
Client Reference No.: 2000-026

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On

Oct. 18, 2004

TOWNSEND and TOWNSEND and CREW LLP



Kary Garland

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Nollert

Application No.: 10/688,010

Filed: October 17, 2003

For: METHOD AND APPARATUS FOR
PREPARING LIPIDIC MESOPHASE
MATERIAL

Examiner:

Art Unit: 1641

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

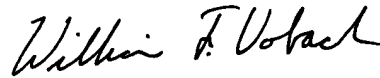
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

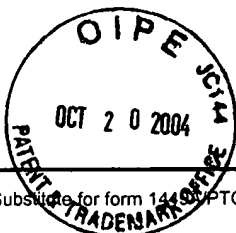
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



William F. Vobach
Reg. No. 39,411

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 303-571-4321
WFV:klb
60334434 v1



PTO/SB/08A (08-03)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/688,010		
		Filing Date	October 17, 2003		
		First Named Inventor	Nollert, Peter		
		Art Unit	1641		
Sheet	1	of	2	Examiner Name	
				Attorney Docket Number	018062-003140US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-3,974,832	08-17-1976	R.E. Kruck	
	AB	US-4,743,229	05-10-1988	G. Chu	
	AC	US-5,908,054	06-01-1999	J.H. Safabash et al.	
	AD	US-5,957,166	09-28-1999	J.H. Safabach	
	AE	US-			
	AF	US-			
	AG	US-			
	AH	US-			
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	AJ	US-			
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AU	GB	1031427		08-08-1963	American Home Products		<input type="checkbox"/>
	AV	DE	3102142	A	08-12-1982	Herlitze, Gerhard, Ing.		<input type="checkbox"/>
	AW	EP	01481116	A	07-10-1985	Debiopharm S.A.		<input type="checkbox"/>
	AX	WO	96/391125	AI	12-12-1996	Univ. of Nebraska		<input type="checkbox"/>
	AY	WO	99/04761	AI	02-04-1999	Andersson Mattias; Pharmacia & Upjohn AB		<input type="checkbox"/>
	AZ							<input type="checkbox"/>
	BA							<input type="checkbox"/>
	BB							<input type="checkbox"/>

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60334434 v1

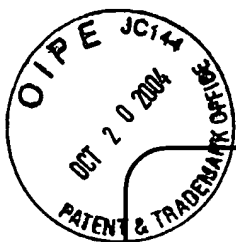
Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/688,010		
		Filing Date	October 17, 2003		
		First Named Inventor	Nollert, Peter		
		Art Unit	1641		
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	018062-003140US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/21 (04-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/688,010
Filing Date	October 17, 2003
First Named Inventor	Nollert, Peter
Art Unit	1641
Examiner Name	
Attorney Docket Number	018062-003140US

Total Number of Pages in This Submission

5

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
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<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input checked="" type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/
Incomplete Application
<input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication
to Technology Center (TC)
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<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
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<input checked="" type="checkbox"/> Other Enclosure(s) (please
identify below):
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit
Account 20-1430.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Townsend and Townsend and Crew LLP William F. Vobach	Reg. No. 39,411
Signature	<i>William F. Vobach</i>	
Date	October 18, 2004	

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Typed or printed name	Kay Barclay		
Signature	<i>Kay Barclay</i>	Date	October 18, 2004